

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:05CR422
)
vs.) **FINAL ORDER OF**
) **FORFEITURE**
)
DENNIS SMITH,)
)
Defendant.)

This matter is before the Court on the United States' Motion for Final Order of Forfeiture and Memorandum Brief (Filing No. 101). The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On August 18, 2006, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 841(a)(1), 841(b)(1) and 853, based upon the verdict finding the Defendant guilty of Counts I and IV of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the 2002 Cadillac Escalade, VIN 1GYEK63N02R121968, was forfeited to the United States.

2. On August 31, September 7 and 14, 2006, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication was filed herein on October 13, 2006 (Filing No. 100).

3. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

IT IS ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. 101) is hereby sustained.

B. All right, title and interest in and to the subject property, i.e., one 2002 Cadillac Escalade, VIN 1GYEK63N02R121968 , held by any person or entity, is hereby forever barred and foreclosed.

C. The subject property, i.e., one 2002 Cadillac Escalade, VIN 1GYEK63N02R121968, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 2nd day of November, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge